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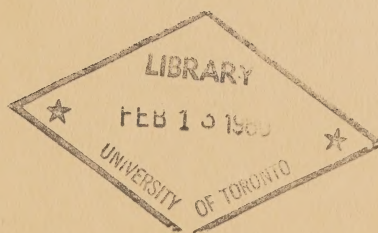
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# Commission on Freedom of Information and Individual Privacy

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## Freedom of Information and Individual Privacy: a Selective Bibliography





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FREEDOM OF INFORMATION  
AND INDIVIDUAL PRIVACY:  
A SELECTIVE BIBLIOGRAPHY

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by Laurel Murdoch and  
Jane Hillard, with the  
assistance of Judith Smith

Research Publication 12

Prepared for the  
Commission on Freedom of Information  
and Individual Privacy

November, 1979





(iii)

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FOREWORD

The Commission on Freedom of Information and Individual Privacy was established by the government of Ontario in March, 1977, to "study and report to the Attorney General of Ontario on ways and means to improve the public information policies and relevant legislation and procedures of the government of Ontario, and to examine:

1. Public information practices of other jurisdictions in order to consider possible changes which are compatible with the parliamentary traditions of the government of Ontario and complementary to the mechanisms that presently exist for the protection of the rights of individuals;
2. The individual's right of access and appeal in relation to the use of government information;
3. The categories of government information which should be treated as confidential in order to protect the public interest;
4. The effectiveness of present procedures for the dissemination of government information to the public;
5. The protection of individual privacy and the right of recourse in regard to the use of government records."

To the best of our knowledge it is the only Commission of its kind whose mandate embraces both freedom of information and individual privacy. The views of the public were embodied in the briefs submitted and in the series of hearings held in ten communities, and covering both Northern and Southern Ontario. In response to public demand, three sets of hearings, widely separated in time, were held in Toronto.

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The views of the scholars and experts in the field are to be found in the present series of research reports of which this bibliography is number 12. Together with the briefs submitted, these constitute the backbone of our findings: the stuff out of which our Report will be made. Many of these stand in their own right as documents of importance to this field of study; hence our decision to publish them immediately.

It is our confident expectation that they will be received by the interested public with the same interest and enthusiasm they generated in us. Many tackle problem areas never before explored in the context of freedom of information and individual privacy in Canada. Many turn up facts, acts, policies and procedures hitherto unknown to the general public.

In short, we feel that the Commission has done itself and the province a good turn by having these matters looked into and that we therefore have an obligation in the name of freedom of information to make them available to all who care to read them.

D. C. Williams  
Chairman

## PREFACE

The first research task undertaken on behalf of the Commission was the preparation of an extensive bibliography. The purpose of the bibliography was to provide a research tool to members of the research staff and Commission consultants, and to avoid duplication in their efforts to survey the existing literature dealing with freedom of information and privacy.

The bibliography was published in a preliminary and limited edition which was made available to the Commission's research personnel and to various other interested groups and institutions, primarily government agencies, law reform bodies and libraries. The enthusiastic response to this preliminary edition confirmed our original intention to produce a final version of the bibliography which would include material unearthed during the research phase of the Commission's work.

Preparation of the preliminary edition of the bibliography was undertaken by Laurel Murdoch and Jane Hillard, with the assistance of Judith Smith, all of whom are professional librarians having previous experience in bibliographic research. The revisions for the present edition of the bibliography were undertaken by Ms. Hillard and Ms. Murdoch.

Grateful acknowledgement should be made of the contributions to this project of Professor Balfour Halevy of Osgoode Hall Law School, York University and of the staff of the Law School's Library. Professor Halevy was instrumental in planning the project in its initial stages and generously made available the facilities of the Library to the authors of this study. Much appreciated assistance was also provided by the staff of the Library at the Department of Justice of the Government of Canada and by Mr. Gerald Baldwin, MP, and his staff in Ottawa.

The Commission has resolved to make available to the public its background research papers in the hope that they might stimulate public discussion. Those who wish to communicate their views in writing to the Commission are invited to write us at the following address:

Registrar  
Commission on Freedom of Information  
and Individual Privacy  
180 Dundas Street West, 22nd Floor  
Toronto, Ontario M5G 1Z8

Particulars of other research papers which have been published to date by the Commission are to be found on pages 229-230.

John D. McCamus  
Director of Research

## INTRODUCTION

This selective bibliography represents a collection of English and French language materials on freedom of information and privacy. Arranged under broad subject categories are books, periodicals and some non-print materials. Although international in scope, emphasis has been placed upon Commonwealth countries and, in particular, Canada. Thus, the relative scarcity of Canadian materials may be attributed to the lack of Canadian publishing in this subject area rather than to any inability to locate relevant items. In contrast to the intensive coverage given to Canadian works, American materials cited represent only a sample of that country's publications on the subject.

The bibliography consists for the most part of scholarly materials. In addition to the obvious legal perspective, works which approach freedom of information and privacy from the viewpoint of the political scientist and sociologist are included.

In selecting materials for inclusion in the bibliography, all the standard bibliographic tools including the national bibliographies of Canada, Australia, Great Britain, New Zealand and the United States were consulted.

The subject headings were derived from the Library of Congress List of Subject Headings. An initial working list of thirty-one headings was gradually consolidated in the course of the search and those which either overlapped or failed to conform to the stated terms of reference of the Commission were eliminated. Items listed in the bibliography under headings other than "Freedom of Information" and "Privacy" were included only if they also contained some discussion of those subjects. For example, under the heading "Government and the Press" will be found works which discuss this relationship in light of privacy and freedom of information considerations. Items which discuss several aspects of privacy or freedom of information may appear under more than one subject heading. For access other than by subject, title and author indexes have been provided.

In order to verify the relevance of items, an attempt was made to examine those which were located in Toronto. Items which were not available for examination were included if subject matter and jurisdiction could be ascertained from the title and other bibliographic information.

No fixed cutoff point was established for the retrospective search. The time period was, of course, closely dependent upon the coverage provided by each bibliographic tool consulted. However, with the exception of some American legal periodical literature, few items written prior to the mid 1940's were retrieved in the course of the search.

Within the broad alphabetical subject arrangement, all items are arranged according to format — i.e., books, periodicals, bibliographies. These format categories are, in turn, subdivided by jurisdiction.

The form of citation of the entries is based upon the fourth edition of Turabian's A Manual of Style. Periodical citations do not appear in the standard abbreviated legal manner, as the inclusion of non-legal periodicals raised problems of consistency. Therefore, all periodical titles have been written in full, both to ensure conformity and to permit the user to determine periodical titles without reference to a separate key to abbreviations.

A preliminary edition of the bibliography, up to date as of October 1977, was distributed on a limited basis in 1978, primarily to facilitate the research of the Commission. The present edition has been considerably expanded, and is up to date as of September 1978.

Jane Hillard  
Laurel Murdoch  
Toronto, Ontario  
July, 1979

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# COMPUTERS AND PRIVACY

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